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Preface

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PREFACE

Crime. Whether local, national, or international, you cannot open a newspaper or magazine, cannot turn on the television without hearing about it. The overwhelming public perception is that crime is on the rise; yet Justice Department statistics indicate that the overall crime rate has remained virtually flat over the last two decades. Nevertheless, the public has little sympathy for jurists and legislators who are viewed as being “soft on crime.”

The result of the public outcry over the “increasing crime rate” has been the judicial and legislative adoption of a “get tough” approach to solving the crime problem. The past few years have seen a marked reduction in sentencing discretion afforded both federal and state judges; use of civil tax and forfeiture actions to punish criminal activity; and a parallel reduction in protections available to criminal defendants. In the area of juvenile justice we have seen correspondingly strong actions designed to curb what is, in fact, a marked increase in violent crime amongst juveniles.

Volume XXV of the Golden Gate University Law Review, Notes and Comments issue, examines some recent developments in the battle to reduce crime. Publication of this volume is the result of the dedicated efforts of the entire Notes and Comments staff. The Law Review gratefully acknowledges the participation of the members of the Golden Gate University School of Law faculty, who volunteered their time to advise the writers whose work appears in this volume. As editor of the Notes and Comments issue, I wish to personally thank Brian Albee, David Kerr, and Dona Skeren for their tireless work as associate editors. Finally, my sincere thanks to Brendan Dunlap Smith, without whose unending patience and support this issue would not have been possible.

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